



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Rosainz et al.

Examiner: Shannan-Shah, K.

Serial No.: 09/588,525

Group Art Unit: 1645

Filed: June 6, 2000

Docket: 294-83

For: ANALOGUES OF
LIPOPOLYSACCHARIDE-BINDING
PROTEIN

Dated: August 3, 2001

Assistant Commissioner for Patents
Washington, DC 20231

I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Assistant Commissioner for Patents, Washington, D.C.

20231 on

Dated: 8/3/01, Stella A. Pagan

RESPONSE TO RESTRICTION REQUIREMENT AND SPECIES ELECTION

Sir:

In the Office Action mailed June 13, 2001, the Examiner has imposed a Restriction Requirement and Species Election under 35 U.S.C. § 121. The following response is being filed within the second month of receiving said Office Action. A petition for a one month extension of time is enclosed with the appropriate fee of \$110.00.

The Examiner has imposed a Restriction Requirement to one of the following inventions under the provisions of 35 U.S.C. § 121:

Group I: Claims 1-20, relating to a pharmaceutical composition (a polypeptide), classified in class 530, subclass 300.

Group II: Claims 29-36 are, drawn to a method of treating disease, classified in class 514, subclass 12.

In response to the Restriction Requirement, Applicants elect the subject matter defined by the claims of Group I, without traverse. Applicants reserve the right to pursue the claims of Group II in a divisional application.

The Examiner has also imposed an Election of Species under 35 U.S.C. § 121, to one of the following:

Species I: One sequence from SEQ ID Nos. 2 to 63 in claim 1;

Species II: One species from claim 8; and

Species III: One disease form claims 29-36.

In response to the Election of Species imposed, Applicants hereby elect the subject matter of SEQ:ID NO: 19, in claim 1, and -CONH2 as the C-terminus, in claim 8.

An election from Species III is not necessary in light of the election of Group I (claims 1-20) made in response to the restriction requirement.

In view of the present election of invention and species, it is believed that this application is in condition for further consideration and examination. If resolution of any remaining issues are required prior to examination of the application, it is respectfully requested that the Examiner contact Applicants' undersigned attorney at the telephone number provided below.

Respectfully submitted,



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